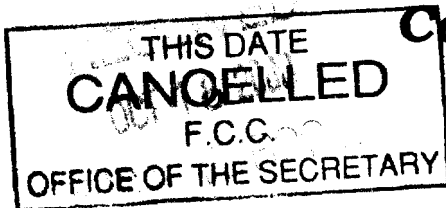


School for Language and Communication Development

100 Glen Cove Avenue
Glen Cove, New York 11542
(516) 609-2000
Fax (516) 609-2015



RECEIVED

OCT 19 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

October 15, 2001

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

Re: Docket Nos. 96-45 and 97-21/
E-Rate Form 471 Application No. 246025

Dear Sirs;

We would like to appeal the funding commitment decisions for funding request number 595288 and 595325.

We have already appealed the decision with the SLD and have been denied. See attached letter.

Although we are a charter school, we are a publicly funded special education school.

Since we do not participate in the national school lunch program we have never collected income data from the families whose children attend the school.

For the past funding years we have been approved to use a discount percentage based upon the national school lunch eligibility of the district where we are located. If this method is no longer acceptable we should have been notified in advance so we could have prepared an alternative method.

You can contact me at (516) 609-2000 ext. 151 or fax (516) 609-2015.

Sincerely,

Susanne Lonigro
Finance Director

No. of Copies rec'd 1
List ABCDE



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2001-2002

October 1, 2001

Susanne Lonigro
School for Language & Communication Development
100 Glen Cove Avenue
Glen Cove, NY 11542

Re: Billed Entity Number: 12946
471 Application Number: 246025
Funding Request Number(s): 595288, 595325
Your Correspondence Dated: July 26, 2001

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year Four Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 30-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 595288, 595325
Decision on Appeal: **Denied in full**
Explanation:

- Your appeal states that your school is located in Glen Cove where the percentage of children eligible for the National School Lunch Program is 38.4%. You feel that according to the discount matrix, you should be eligible for a 60% discount.
- SLD's review of your application determined that your discount eligibility percentage was not supported by appropriate documentation. The average discount rate for Glen Cove District cannot be used to determine your discount rate because the School for Language and Development is a charter school and not part of the public school district. Since no income survey had been conducted for the funding year, the highest discount rate that the applicant could receive is 20%. PIA is correct in modifying applicant's discount from 60% to 20%. Consequently, SLD denies your appeal.

- FCC rules provide that the discount available to an applicant is determined by indicators of poverty and high cost. *See* 47 C.F.R. § 54.505(b). The level of poverty is measured by the percentage of students enrolled in a school or school district that are eligible for a free or reduced price lunch under the national school lunch program or a federally-approved alternative mechanism contained in Title I of the Improving America's Schools Act, codified at 34 C.F.R. § 200.28(a)(2)(I)(B). *See* 47 C.F.R. § 54.505(b)(1). Alternatively, the level of poverty is measured according to participation in Medicaid, food stamps, Supplementary Security Income (SSI), federal public housing assistance or Section 8, or Low Income Home Energy Assistance Program (LIHEAP). *See* Federal-State Joint Board on Universal Service, CC Docket No. 96-45, *Report and Order*, FCC 97-157 n.1334 ¶ 374 (rel. May 8, 1997). The high cost determination is made pursuant to rules according to which a school or library is classified as rural or urban. *See* 47 C.F.R. § 54.505(b)(3). An applicant's discount rate is determined by reference to a matrix based upon the level of poverty and whether a school is classified as rural or urban. *See* 47 C.F.R. § 54.505(c).

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission, Office of the Secretary, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. Before preparing and submitting your appeal, please be sure to review the FCC rules concerning the filing of an appeal of an Administrator's Decision, which are posted on the website at <www.universalservice.org>. **You must file your appeal with the FCC no later than 30 days from the date on this letter for your appeal to be filed in a timely fashion.**

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company